

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	
	:	<b>Case No.: 23-11130</b>
<b>Jedediah Charles Huf</b>	:	<b>Chapter 13</b>
	:	<b>Judge Patricia M. Mayer</b>
	<b>Debtor(s)</b>	:
		<b>* * * * *</b>
<b>Freedom Mortgage Corporation</b>	:	<b>Related Document # 26, 30, &amp; 31</b>
	<b>Movant,</b>	:
<b>vs</b>	:	
	:	
<b>Jedediah Charles Huf</b>	:	
<b>Kenneth E. West</b>	:	
	<b>Respondents.</b>	:

**CERTIFICATE OF DEFAULT**

Now comes Freedom Mortgage Corporation, its successor and assigns (hereinafter, "Creditor") by and through counsel, and certifies to this Court that Jedediah Charles Huf ("Debtor") has failed to comply with the Order entered September 26, 2023, approving the September 25, 2023, Stipulation a copy of which is attached hereto as Exhibit "A", by failing to make timely payments in accordance with the Stipulation. Pursuant to the Order, the automatic will terminate upon the filing of the Certificate of Default.

Creditor hereby avers that Debtors are delinquent for the October 1, 2023 payment and for all arrears that were due thereafter. Further, pursuant to the terms of the stipulation, Creditor provided Debtors and their Counsel with a Notice of Default on December 22, 2023, allowing Debtors ten (10) days to cure this default. A copy of said default letter is attached hereto as Exhibit "B". Ten (10) days have passed and the default has not been cured.

WHEREFORE, upon the filing of the Certificate of Default, Creditor requests that the Court enter an order terminating the automatic stay.

Respectfully submitted,

/s/Alyk L. Oflazian

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Alyk L. Oflazian, Esquire (312912)  
Adam B. Hall (323867)  
Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus, OH 43216-5028  
Telephone: 614-220-5611  
Fax: 614-627-8181  
Attorneys for Creditor  
The case attorney for this file is Alyk L.  
Oflazian.  
Contact email is  
ALOflazian@manleydeas.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	
	:	<b>Case No.: 23-11130</b>
<b>Jedediah Charles Huf</b>	:	<b>Chapter 13</b>
	:	<b>Judge Patricia M. Mayer</b>
<b>Debtor(s)</b>	:	<b>* * * * *</b>
	:	
<b>Freedom Mortgage Corporation</b>	:	<b>Related Document # 26, 30, &amp; 31</b>
	:	
	:	
<b>Movant,</b>	:	
<b>vs</b>	:	
	:	
<b>Jedediah Charles Huf</b>	:	
<b>Kenneth E. West</b>	:	
	:	
<b>Respondents.</b>	:	
	:	

**CERTIFICATE OF SERVICE**

I certify that on the date of filing, a copy of the foregoing Certificate of Default was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Kenneth E. West, Chapter 13 Trustee, ecfemails@ph13trustee.com

MICHAEL A. CIBIK, Attorney for Jedediah Charles Huf, mail@cibiklaw.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S. Mail to the following:

Jedediah Charles Huf, 267 Commerce St, Oxford, PA 19363-1738

/s/Alyk L. Oflazian

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: :  
Jedediah Charles Huf : Case No.: 23-11130  
Debtor(s) : Chapter 13  
: Judge Patricia M. Mayer  
: \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*  
Cardinal Financial Company, Limited : Date and Time of Hearing  
Partnership : September 13, 2023 at 01:00 p.m.  
Movant, :  
vs : Place of Hearing  
Jedediah Charles Huf : U.S. Bankruptcy Court  
Kenneth E. West : 900 Market Street, Suite 400  
: Philadelphia, PA, 19107  
Respondents. : Related Document # 26

**STIPULATION FOR SETTLEMENT OF CREDITOR CARDINAL FINANCIAL  
COMPANY, LIMITED PARTNERSHIP MOTION FOR RELIEF FROM AUTOMATIC  
STAY FOR PROPERTY LOCATED AT  
267 COMMERCE STREET, OXFORD, PA 19363 (DOCKET # 26)**

This matter coming to be heard on the *Motion for Relief from Stay* (Dkt. #26) which was filed in this court by Cardinal Financial Company, Limited Partnership ("Movant"), Movant and Jedediah Charles Huf by and through counsel ("Debtor"), have agreed to a course of action which will condition the continuation of the automatic stay upon certain provisions incorporated herein for the protection of Movant; and Parties stipulate to the following and request a Court order confirming the same:

1. The Parties agree that the Chapter 13 Plan ("Plan") filed herein on behalf of Debtor provided that said Debtor was to make regular monthly mortgage payments to Movant outside of the Plan in a regular monthly fashion.
2. The Parties agree that in breach of said Plan, Debtor failed to make regular monthly mortgage payments to Movant and is currently in default for the months of May 2023 through September 2023, incurring a total post-petition arrearage of \$8,497.05 which consists of 5 post-petition payments for May 1, 2023 through September 1, 2023 at \$1,451.81 each and attorney fees and costs of \$1,238.00.
3. Debtor shall repay the total post-petition arrearage of \$8,497.05 directly to the Chapter 13 Trustee who shall then disperse the funds to Creditor.
4. Debtor shall submit ongoing monthly mortgage payments directly to the Creditor starting with the October 1, 2023 post-petition payment.
5. Debtor shall file an amended Chapter 13 Plan wherein the post-petition arrearage for the months of May 2023 through September 2023 and attorney fees and costs are included in

the Plan. Debtor shall file the Amended Chapter 13 Plan within thirty (30) days of the Court Order approving this stipulation.

6. Movant is permitted to file a Supplemental Proof of Claim in the amount of \$8,497.05 representing the total post-petition delinquency. The Supplemental Proof of Claim shall be paid as a secured claim through the Chapter 13 Plan.
7. Payments shall be sent to:

Cardinal Financial Company, Limited Partnership  
1 Corporate Drive  
Suite 360  
Lake Zurich, IL 60047
8. Upon completion of the repayment schedule listed above or tender of sufficient funds to bring the loan post-petition current, Debtor must continue to make timely post-petition mortgage payments directly to Movant in a regular monthly fashion.
9. The following are events of default under this Stipulation:
  - a. Debtor's failure to file an Amended Chapter 13 Plan within 30 days of the Court Order approving this stipulation;
  - b. Debtor's failure to remit any future monthly mortgage payment on or before the date on which it is due;
10. In the event of a Default, Movant shall send a Notice specifying the Default, to Debtor and Debtor's counsel ("Notice"), allowing Debtor ten (10) days to cure the Default ("Cure Opportunity"). If the Default is not cured, Movant shall file a Certification of Default with the Court. The automatic stay shall be terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property upon the Court's entry of an Order granting Movant's Certification of Default.
11. If Movant has to send a Notice of Default, the Debtor shall pay \$100.00 per notice, as attorney fees, in addition to whatever funds are needed to cure the default prior to the expiration of the allowed cure period.
12. This Stipulation remains in full force and effect in the event Debtor's case is dismissed by the Court and Debtor subsequently reinstates their case by order of the Court and/or the Movant obtains relief from stay and the stay is subsequently reinstated by order of the Court.
13. If this bankruptcy proceeding is converted to Chapter 7, dismissed or discharged, this Order shall be terminated and have no further force or effect.

MANLEY DEAS KOCHALSKI LLC

Dated: 09/21/2023

BY: /s/Alyk L. Oflazian

Alyk L. Oflazian (312912)  
Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus, OH 43216-5028  
614-220-5611; Fax 614-627-8181  
Email: ALOflazian@manleydeas.com  
Attorney for Creditor

Dated: 09/21/2023

BY: /s/ Michael A. Cibik

Michael A. Cibik  
1500 Walnut Street  
Suite 900  
Philadelphia, PA 19102  
Email: mail@cibiklaw.com  
Attorney for Debtor

I do not object to the foregoing Stipulation

/s/ Kenneth E. West      No objection to its terms, without prejudice to any of our rights and remedies

Kenneth E. West  
1234 Market Street - Suite 1813  
Philadelphia, PA 19107

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:

Jedediah Charles Huf

Debtor(s)

Cardinal Financial Company, Limited  
Partnership

Movant,

vs

Jedediah Charles Huf  
Kenneth E. West

Respondents.

:  
: Case No.: 23-11130  
: Chapter 13  
: Judge Patricia M. Mayer  
: \*  
:  
: Date and Time of Hearing  
: September 13, 2023 at 01:00 p.m.  
:  
: Place of Hearing  
: U.S. Bankruptcy Court  
: 900 Market Street, Suite 400  
: Philadelphia, PA, 19107  
:  
: Related Document # 26

**ORDER OF COURT**

AND NOW, to wit, this 26th day of September, 2023, upon consideration of the foregoing Stipulation for Settlement of Creditor's Motion for Relief from the Automatic Stay, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. The terms of the foregoing Stipulation are hereby approved in their entirety and incorporated herein as part of this Order.
2. Pursuant to the Stipulation, Creditor is entitled to relief from the automatic stay upon default of Debtor, subject to the terms of the Stipulation.

By the Court:



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PATRICIA M. MAYER, JUDGE  
UNITED STATES BANKRUPTCY COURT

CC:

Alyk L. Oflazian, Attorney for Creditor, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028 (notified by ecf)

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov (notified by ecf)

Kenneth E. West, Chapter 13 Trustee, 1234 Market Street - Suite 1813, Philadelphia, PA 19107, ecfemails@phl3trustee.com (notified by ecf)

Michael A. Cibik, Attorney for Debtor, 1500 Walnut Street, Suite 900, Philadelphia, PA 19102, mail@cibiklaw.com (notified by ecf)

Jedediah Charles Huf, Debtor, 267 Commerce St, Oxford, PA 19363-1738 (notified by regular US Mail)



P.O. BOX 165028  
COLUMBUS, OH 43216  
P 614-220-5611 | F 614-220-5613

December 22, 2023

MICHAEL A. CIBIK  
1500 Walnut Street, Suite 900  
Philadelphia, PA 19102

Re: Freedom Mortgage Corporation v.  
Jedediah Charles Huf  
Case No. 23-11130  
Our File No. 23-023569

Dear MICHAEL A. CIBIK:

Please be advised that your client, Jedediah Charles Huf, has failed to comply with the Agreed Order entered into on September 25, 2023 on behalf of the above referenced Debtor.

The Debtor is currently behind as follows:

	Amount	# of Pmts Behind	Total
Regular Mortgage Payments for October, 2023 - December, 2023	\$1,451.81	3	\$4,355.43
NOD Fee	\$100.00	1	\$100.00
<b>TOTAL:</b>			<b>\$4,455.43</b>

Please note that this letter serves as a Notice of Default and opportunity to cure the arrearage stated above. **Your clients will have ten (10) days from the date of receipt of this letter in which to remit the funds listed above. If no response is received within ten (10) days, the Stay will automatically terminate without further notice or motion, upon the filing of a Certification of Default.**

**Funds must be remitted directly to the creditor. If sending payment by mail, the creditor's address can be found in the Proof of Claim. Do not remit funds to Creditor's counsel.**

Should you have any questions regarding this matter, please do not hesitate to contact me at 614-220-5611.

Very truly yours,  
Alyk L. Oflazian

CC: Jedediah Charles Huf  
267 Commerce St  
Oxford, PA 19363-1738

23-023569\_SJW

Jedediah Charles Huf  
267 Commerce Street  
Oxford, PA 19363